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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

PETER JAY GERBER AND MIRIAM  
GOLDBERG,

Plaintiffs,

vs.

BAYER CORPORATION AND BAYER  
HEALTHCARE PHARMACEUTICALS,  
INC.; BMC DIAGNOSTICS, INC.;  
CALIFORNIA PACIFIC MEDICAL  
CENTER; GENERAL ELECTRIC  
COMPANY; GE HEALTHCARE, INC.; GE  
HEALTHCARE BIO-SCIENCES CORP.;  
McKESSON CORPORATION; MERRY X-  
RAY CHEMICAL CORP.; and DOES 1  
through 35

Defendants.

Case No: 3:07-cv-05918-JSW

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR REMAND**

Date: January 11, 2008  
Time: 9:00 a.m.  
Courtroom: 2

Having considered the submissions of the parties on Plaintiffs' Motion for Remand pursuant to  
28 U.S.C. 1447(c):

1 The Court finds that there is not complete diversity of citizenship among the parties. Plaintiffs'  
2 motion is therefore GRANTED and the case is REMANDED to San Francisco Superior Court.

3 IT IS SO ORDERED.

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6 Dated: \_\_\_\_\_

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7 Honorable Jeffrey S. White  
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